

So when the Supreme Court made this decision, they found themselves focusing on the trees but not on the forest. We have to ask ourselves why. Why would the Court make this decision? Well, maybe their purpose was to force us, as a Congress, to clarify the role of the President, and if that is the case, then we should do it. We should act in a way that gives the President the authority to hold these individuals because, what is the option? What is the option, to not hold them? That is not an option.

If you release these individuals, you basically assure yourself that you are releasing people whose purpose it is to come back and do dramatic harm to our Nation and to Americans. What President—what President—who is sworn to uphold the Constitution and to protect this country, could possibly release these individuals in the context of what their purpose is? It would totally—totally—affront the responsibility of the Presidency to do that.

The Court has made a decision which makes no sense from the standpoint of reality, although it may make sense from the standpoint of theory. I believe the Congress needs to act, and act quickly, so that this type of error can be corrected. It is, after all, a branch of Government that is not infallible—the Supreme Court. They have made egregious mistakes in the past such as in the Dred Scott case. And so we need to correct that and correct it promptly. We are an equal branch of Government. We have the capacity in this instance to correct it, it appears, at least from the dictum, if not from the actual core of the opinion. So we should do that. I would hope that the Congress would act promptly.

Mr. President, I yield the floor, and I make a point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak in morning business for 10 minutes.

The PRESIDING OFFICER. We are in morning business. The Senator is recognized.

STEM CELL RESEARCH

Mr. DORGAN. My understanding is that perhaps next week the Senate will take up something called stem cell research, several pieces of legislation dealing with stem cell research. I want to talk for a few moments about that issue.

It has been just over 1 year now since the U.S. House of Representatives has passed a piece of legislation called the Stem Cell Research Enhancement Act, with very broad bipartisan support.

Those of us in the Senate and those across this country who have lost loved ones, and most of us have, to some dread disease—Alzheimer's, Parkinson's, heart disease, diabetes—the list is endless—cancer—understand that the urgency to do the research to find the cures for these diseases really must be preeminent.

I am not suggesting that urgency should suggest to us there are no ethical boundaries to research. There are ethical boundaries. But I also want to make certain that this Senate moves in a way that is expeditious and does the right thing.

I want to show a picture. This is a picture of a young girl I have met a good number of times. She is in the middle. Her name is Camille. Camille is 13. She was diagnosed with type 1 diabetes when she was 4 years old. I have met with Camille's mother and Camille a good number of times. I have told her story once before on the Senate floor, but it is worth retelling because Camille and her parents and so many others across this country are very concerned that we move forward on stem cell research and try to find ways to unlock the mysteries of this disease called juvenile diabetes. But not just diabetes; ALS and Parkinson's and Alzheimer's and so many more.

Type 1 diabetes, also called juvenile diabetes, occurs when a body's immune system attacks and destroys certain cells in the pancreas called beta cells. As a result, those beta cells that normally would produce insulin are not producing insulin. So when the beta cells are destroyed and no insulin is produced, the glucose stays in the blood and can cause serious damage to the organs of the body. So Camille, like many who have juvenile diabetes, will have to take insulin to stay alive. She has to maintain a carefully calculated diet. She checks her blood glucose level several times a day and takes insulin injections, as many as six a day, just to stay alive.

Her parents have told me about Camille and her schedule. They live by the clock. They wake up in the middle of the night every night to check on her, make sure her insulin levels are normal.

Every hour of every day in this country someone is diagnosed with type 1 diabetes. With Camille, she has had some very close calls. She has been in the hospital a great deal. Her diabetes has been pretty devastating, and she has had a lot of close calls.

This young girl and her parents really want Congress to move forward on stem cell research. There is so much promise in stem cell research. I want to describe why this is necessary. We are talking about human embryonic stem cell lines available for use in Federal research. In August of 2001 when the President said he will make lines available, he made 78 lines available. Now there are only 22 of those lines available and all of these approved lines are contaminated in certain ways.

That means that all of these stem cell lines will actually never be able to be used for human clinical trials.

This August 9, 2001 deadline that the President had on research using these 78 lines is simply an arbitrary deadline. Let me describe that these cells, these stem cell lines come from discarded embryos, fertilized eggs that have been cryogenically frozen at an in vitro fertilization clinic. We had a person testify before the Senate Commerce Committee some years ago who believed that it was just wrong that there should be eggs that are fertilized in a test tube or in a Petri dish and then implanted in the mother, something called in vitro fertilization. That is just wrong, he said. That should never ever have happened. It should never have been done.

There are now 1 million people living among us who were born as a result of in vitro fertilization, giving couples the ability to have children. Couples who previously have not been able to have children now are able to have children through in vitro fertilization.

At these in vitro clinics, more eggs are fertilized than are actually implanted and used. There are roughly 400,000 of embryos that are now cryogenically frozen at these clinics. Somewhere between 8,000 and 10,000 each year are simply discarded. They become waste. They are thrown away.

Those who say that the use of those embryos is the equivalent of murder, then, I believe, also probably say that the discarding of embryos that are not going to be used any longer, that have been cryogenically frozen—my guess is they believe those represent 8,000 or 10,000 murders a year.

I don't believe that. Those embryos can never and will never become a human being unless implanted into a uterus. The question is: Can we use these embryos to create stem cell lines to try to find cures to dread diseases? Here is what has happened in stem cell research since the President announced the limitation.

Here is what President Bush said in 2004:

Embryonic stem cell research requires the destruction of life. I'm the first President ever to allow Federal funding for embryonic stem cell research. I did so because I, too, hope that we'll discover cures from the stem cells. But we've got to be very careful in balancing the ethics and the science. And so I made the decision we wouldn't spend any more money beyond the 70 lines, 22 of which are now in action, because science is important, but so is ethics, so is balancing life.

But these lines themselves were from in vitro fertilization clinics and would have been discarded and are being discarded routinely in this country, 8,000 to 11,000 a year. This is just an arbitrary decision.

So let me just make a couple of additional points. This is my former colleague, Senator Jack Danforth, a former Republican colleague, as a matter of fact, and ordained Episcopal priest. He wrote this in the New York Times:

It is not evident to many of us that cells in a Petri dish are equivalent to identifiable people suffering from terrible disease. I am and have always been pro-life. But the only explanation for legislators comparing cells in a Petri dish to babies in the womb is the extension of religious doctrine into statutory law.

This from an Episcopal priest, a former Republican Senator.

Finally, this from Nancy Reagan:

Science has presented us with a hope called stem cell research, which may provide our scientists with answers that have so long been beyond our grasp. I just don't see how we can turn our backs on this—there are just so many diseases that can be cured or at least helped. We have lost so much time already, and I just really can't bear to lose any more.

I believe that we ought to proceed with thoughtful, ethical guidelines on stem cell research. I understand that is a controversial position for some. In fact, in the last campaign for office for me, my opponent ran a television advertisement that was novel and fairly disgusting. In it was a fellow who was sitting around a campfire with some little children. One of the little children said to the camp fire leader: Tell us a scary story.

And the camp fire leader said: Well, there is this man named Dorgan and he has a plan to put embryos inside the womb of a mother and grow them for body parts to be harvested later.

An unbelievable television commercial, bearing no relationship to what has been discussed under any set of circumstances. But the controversy that exists these days with stem cell research, I understand; I am respectful to those who disagree with me on this subject.

I am mindful that there should be solid ethical guidelines in terms of how it is dealt with. But I don't believe this is about harvesting body parts. This is about giving life. This is about giving hope. This is about unlocking the mysteries of dread diseases—to tell those who live with Alzheimer's or heart disease or cancer or juvenile diabetes or ALS or Parkinson's that we are doing everything we can to find ways to cure these diseases. That is what this research is about. I really believe it is about giving life—providing opportunity for those who are suffering from these dread diseases.

That is why I am a cosponsor of the Senate companion bill to the House bill called the Stem Cell Research Enhancement Act, which has 41 cosponsors. It is a bipartisan group of Senators who has cosponsored this legislation.

I take some hope with the statement of the majority leader that it appears we will begin debating this issue within the next week or two.

It is important to be clear that this bill only deals with stem cells—embryos that were created for fertility purposes by in vitro fertilization clinics that would otherwise be thrown away. That is all that is being discussed. As I indicated, there are about

400,000 of those embryos that are now frozen at in vitro fertilization clinics.

I know there will be great controversy when we discuss this. However, I am comforted, as well, that there is a bipartisan group of Senators who believes this ought to be done and supports the legislation. It is a fact that sometimes those of us who serve here lament that we are taking lightly things that should be taken seriously, or taking seriously things that are light. This is a serious issue. And bringing this to the floor of the Senate means that we are sinking our teeth into a piece of public policy that is very important and that we recognize is controversial but nonetheless very important for us to make decisions about.

I look forward to being a part of that discussion and that debate when it comes to the floor of the Senate, hopefully, next week if the information I have is correct, if not within a week or so following.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Florida. Are we in the parliamentary procedure of morning business?

The PRESIDING OFFICER. That is correct. The Senator is recognized for 10 minutes.

BLACK HAWK HELICOPTERS

Mr. NELSON of Florida. Mr. President, we have an interesting situation where the Department of Defense is requesting that seven Black Hawk helicopters that the U.S. Army owns but are detailed to the Drug Enforcement Administration in the Bahamas be taken out of the Bahamas. No doubt there is a need elsewhere in the world, perhaps in Operation Iraqi Freedom. But this Senator wants to make the case, as I did 2 weeks ago when we had the Defense authorization bill on the floor, that the United States Government needs to find some additional helicopters to replace those that are there for the purpose of interdiction of all kinds of contraband.

Indeed, we have experienced enormous success from having those seven helicopters in the last 5 years: 800 drug smugglers have been apprehended as a result of those helicopters being there; 25 tons of cocaine have been taken away from the drug smugglers; 82 tons of marijuana, as a result of the effectiveness of these helicopters. Of course, I am just speaking about the interdiction of contraband drugs, not even to speak of the interdiction of all of the human smuggling that is attempted into the United States through that route.

It might be instructive for us to know that when a similar situation was done elsewhere in the Caribbean, in Central America in the late 1990s, and seven helicopters were taken from Central America with a similar kind of mission, the incidence of drug smuggling rose precipitously. Of course, that is what will happen if these helicopters are not replaced.

Since the 1980s, these helicopters have made an enormous difference. For example, it is hard to believe the statistic I am going to tell you, but 80 percent of all the cocaine that was smuggled into this country came through that region of the Atlantic, the Bahamas and the Turks and the Caicos, back in the 1980s. That percentage of the total cocaine smuggled into the country has been reduced to 10 percent. So the proof is in the pudding. The success is there.

Two weeks ago when we had the Defense authorization bill on the floor, I added an amendment that said that the U.S. Government should come up with a replacement for those helicopters. If they are needed elsewhere, fine; that is, the war on terror. We also have a war on terror and a war to defend the homeland as well. That is right here. That is the southern sector off the shores of the Southern United States.

It is my hope that the Defense Department will take very seriously the Defense authorization bill that makes that statement to the U.S. Government. Surely in the inventory of the entire U.S. Government, there are seven helicopters that can replace the ones being taken out and sent to Iraq. The success of our interdiction and the protection of our homeland is at stake.

I yield the floor.

HONORING OUR ARMED FORCES

SERGEANT FIRST CLASS TERRY WALLACE

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of U.S. Army SFC Terry Wallace of Nebraska. Sergeant Wallace died when an improvised explosive device detonated near his military vehicle in Taji, Iraq on June 27. He was 33 years old.

Sergeant Wallace was born in Winnsboro, LA. He graduated from Winnsboro High School, where he ran track and played drums in the school band. He enlisted in the Army in 1990. In recent years, Sergeant Wallace lived in Bellevue, NE, with his wife Shunda and daughter Raven.

Sergeant Wallace had several assignments overseas, including other locations in the Middle East. In December 2005, he was deployed to Iraq with the 4th Battalion, 42nd Field Artillery Regiment, 4th Infantry Division, based out of Fort Hood, TX. Sergeant Wallace will be remembered as a smart, hardworking man who was honored to serve and defend his country. Thousands of brave Americans like Sergeant Wallace are currently serving in Iraq.

In addition to his wife and daughter, Sergeant Wallace is survived by his